

File... *Legis Gen.*LEGISLATIVE ANALYSIS~~CONFIDENTIAL~~
~~TOP SECRET~~
~~FILE~~Bill No. draft State bill Report No. _____ Companion No. _____Title: Radio Broadcasting to Cuba ActSubject: Radio MartiAmends. 22 U.S.C. §2871, 2873Contacts: Tracey Lawler

STAT

Conclusion: X/ No Agency objection/ Agency objection and/or needs amendment

Analysis: The captioned legislation would authorize the Board for International Broadcasting to take up, in addition to Radio Liberty and Radio Free Europe, Radio Marti. The Agency has no interest in or objection to this legislation, I concluded. Agency expert on Radio Marti, confirmed this.

Accordingly, I called Travey Lawler on Valentine's Day, 1983, and advised her we had no objection.

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3/14/83

(name)

ROUTING AND RECORD SHEET

SUBJECT: (Optional)

Draft State Department Legislation on Radio Marti

STAT	FROM:		EXTENSION	NO.
				DATE
STAT SIAI	TO: (Officer designation, room number, and building)	DATE	OFFICER'S INITIALS	COMMENTS (Number each comment to show from whom to whom. Draw a line across column after each comment.) John, I am told that you are the Office's Radio Marti expert. As such, could you give me your comments on the attached legislation prepared by State and forwarded to the Agency for comment by OMB. To me, it seems that there is no Agency objection. We didn't receive it from OMB until after their due date. I'm going to rectify that but I'd appreciate your expeditious comments in any event. It seems relatively straightforward to me. N.B. I've attached copies of the current statute which is being amended. 1-7 We have no role or connection w/ Radio Marti. Thus, I don't believe we have any stake in this. STAT 2/14 GMC, unless you can think of any other concerns, I'm going to call it a no objection! STAT
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EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

Circumstances

83 01218

SPECIAL

February 10, 1983

LEGISLATIVE REFERRAL MEMORANDUM

TO: Legislative Liaison Officer-

National Science Foundation
 United States Information Agency
 Board for International Broadcasting
 Department of Defense
 General Services Administration
 Federal Communications Commission
 Department of State
 Central Intelligence Agency ✓
 Department of Commerce
 Department of Justice
 Department of the Treasury

SUBJECT: State proposal, the "Radio Broadcasting to Cuba Act."

(NOTE: Sec. 3(e) may be slightly revised in the near future. If this happens you will be advised of the changes.)

The Office of Management and Budget requests the views of your agency on the above subject before advising on its relationship to the program of the President, in accordance with OMB Circular A-19.

A response to this request for your views is needed no later than c.o.b. FRIDAY, FEBRUARY 11, 1983.

Questions should be referred to Tracey Lawler (395-4710) the legislative analyst in this office or to Dave Spevacek (395-4580).

RONALD K. PETERSON FOR
Assistant Director for
Legislative Reference

Enclosures

cc: Jennifer Andrews Jim Barie Ed Strait Jim MacRae
 Arnie Donahue Frank Seidl John Dyer George Strauss

SPECIAL

SHORT TITLE

Section 1. This title {Act} may be cited as the "Radio Broadcasting to Cuba Act".

DECLARATION OF ADDITIONAL PURPOSES

Sec. 2. Section 2 of the Board for International Broadcasting Act of 1973 (22 U.S.C. 2871) is amended -

(1) by inserting "(a)" immediately after "Sec. 2."; and

(2) by adding at the end of the section the following:

"(b) The Congress further finds and declares--

"(1) that, consonant with the policy set out in subsections (a)(1) and (2), radio broadcasting to Cuba may be effective in furthering the open communication of accurate information and ideas to the people of Cuba, in particular information about Cuba; and

"(2) that such broadcasting to Cuba, operated in a manner not inconsistent with the broad foreign policy of the United States and in accordance with high professional standards, would be in the national interest."

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ADDITIONAL FUNCTIONS OF THE BOARD

Sec. 3. Section 4 of the Board for International Broadcasting Act of 1973 (22 U.S.C. 2873) is amended by adding at the end thereof the following:

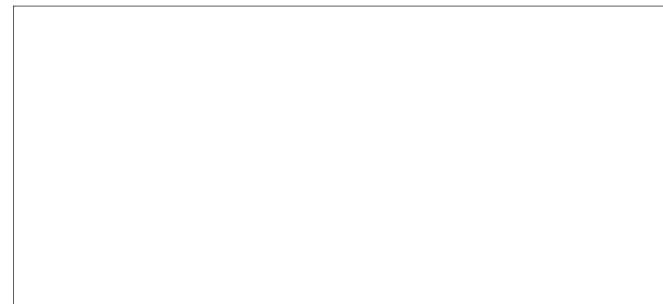
"(c) In order to further carry out the purposes set forth in section 2 of this Act, the Board is authorized to provide for the open communication of information and ideas through the use of radio broadcasting to Cuba. The Board may carry out this subsection by means of grants, leases or contracts (subject to the availability of appropriations), or such other means as the Board determines will most effectively carry out the purposes set forth in section 2. With respect to grants to or leases or contracts with a separate entity or other means of carrying out broadcasting to Cuba, the Board shall have the same authorities as those detailed in subsection (a) of this section.

"(d) Radio broadcasting to Cuba under this Act shall serve as a consistently reliable and authoritative source of accurate, objective and comprehensive news.

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"(e) In the event that the Board determines to provide broadcasting to Cuba in accordance with subsections (c) and (d) on the commercial AM band (535 kHz to 1605 kHz), the Board shall consult with the NTIA and FCC in identifying an appropriate frequency or frequencies that will, to the extent possible, reduce the potential for interference with such broadcasting and with nongovernment U.S. radio broadcasting from any Cuban broadcasting or countermeasures."

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AUTHORIZATION OF APPROPRIATIONS

Sec. 4. Section 8 of the Board for International Broadcasting Act of 1973 (22 U.S.C. 2877) is amended by adding at the end thereof the following:

"(c) There are authorized to be appropriated to the Board to carry out the Radio Broadcasting to Cuba Act \$_____ for the fiscal year 1983 and \$_____ for the fiscal year 1984. Of the amounts authorized to be appropriated under this section, no less than \$_____ in 1983 and \$_____ in 1984 shall be available only for the Board for International Broadcasting for additional expenses incurred by the Board as a result of the exercise of its oversight responsibilities over radio broadcasting to Cuba. Amounts appropriated under this subsection are authorized to be made available until expended."

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ASSISTANCE FROM OTHER GOVERNMENT AGENCIES

Sec. 5. The Board for International Broadcasting Act of 1973 is amended by adding at the end thereof the following:

"ASSISTANCE FROM OTHER GOVERNMENT AGENCIES

"Sec. 12. In order to assist the Board in carrying out the purposes set forth in section 2 of this Act, any agency or instrumentality of the United States may sell, loan, lease, or grant property (including interests therein) and may perform administrative and technical support and services at the request of the Board. Support and services shall be provided on a reimbursable basis, which reimbursement shall be credited to the appropriation from which the property, support, or service was derived."

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MERGER OF BOARDS OF DIRECTORS

Sec. b. Section 11 of the Board for International Broadcasting Act of 1973 is amended by adding at the end thereof the following:

"(c) No grant may be made under subsection (c) of section 4 to Radio Broadcasting to Cuba, Incorporated, or any other corporation established to provide radio broadcasting to Cuba unless such corporation provides in its certificate of incorporation that--

"(1) the Board of Directors of such corporation shall consist of the members of the Board for International Broadcasting and no other members; and

"(2) such Board of Directors shall make all major policy determinations governing the operation of such corporation and shall appoint and fix the compensation of such managerial officers and employees of such corporation as it deems necessary to carry out the purposes of this Act."